

REMARKS***Status of Claims***

The Office Action mailed October 23, 2007 has been received and reviewed. By the present Response and Amendment, claims 1-3, 5-9, 12-16, 19, and 21 are pending and are amended herein. Claims 4, 10-11, 17-18, and 20 are cancelled. No new matter is introduced by the present Response and Amendment. All claims are now believed to be in condition for allowance for the reasons set forth below.

Drawings

Applicant encloses formal drawings herewith for all figures of the present application.

Rejection of Claims 12-15 under 35 U.S.C. §101

Claims 12-15 stand rejected under 35 U.S.C. §101 as allegedly being directed to non-statutory subject matter. Applicant respectfully traverses this rejection. Nevertheless, to advance prosecution, Applicant has amended independent claim 12 to clarify what is claimed.

As amended, independent claim 12 recites a computer-readable medium having computer-executable instructions which, upon the request of a user, perform a plurality of steps. Clearly, code is stored on the computer-readable medium, as a computer-readable medium, not the code alone, is what is claimed. Applicant respectfully submits that a computer-readable medium having computer-executable instructions stored thereon is statutory subject matter. Accordingly, Applicant respectfully requests that the Examiner withdraw this rejection.

Rejection of Claims 1-5 and 7-21 under 35 U.S.C. §102

Claims 1-5 and 7-21 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,857,013 of *Ramberg et al.* Applicant respectfully traverses this rejection. Nevertheless, to advance prosecution, Applicant has amended claims 1-3, 5, 7-9, 12-16, 19, and 21 and cancelled claims 4, 10-11, 17-18, and 20. Support for these amendments

can be found throughout the Applicant's specification and particularly on page 5, paragraph 21.

The present invention is directed to a system and method for troubleshooting a service problem in a telecommunications network. A user using his wireless device can connect directly with a network server. The network server receives the user's input regarding the service problem, diagnoses the problem, and then automatically corrects the problem without intervention by an operator of the system.

By stark contrast, the *Ramberg* patent is directed to an operator/technician (i.e., a person) remotely controlling an ADC platform over the Internet. The remote technician can "use status information retrieved from the ADC platform to diagnose anomalies and reconfigure the ADC device platform." (column 4, lines 32-35). In other words, the remote technician, not the computer server, is the one diagnosing the anomalies and sending commands to reconfigure the platform of *Ramberg*.

As amended, all of the independent claims in this application recite the feature of effecting a corrective action responsive to the specific nature of the service problem without human intervention. *Ramberg* teaches the exact opposite, namely correcting the problem through human intervention. Accordingly, Applicant respectfully requests that the Examiner withdraw this rejection.

For at least the reason that claims 2-3, 5, 7-9, 13-15, 19, and 21 depend from claims 1, 12, or 16 and therefore incorporate the limitations of claims 1, 12, or 16, these dependent claims are patentable over the art of record for at least the reasons set forth above with respect to independent claims 1, 12, and 16.

Moreover, these claims include features not disclosed, taught, or suggested by *Ramberg*. For example, claim 7 recites that the corrective action includes downloading settings or software updates to the wireless telecommunications device. *Ramberg* does not disclose, teach, or suggest this feature. Rather, *Ramberg* teaches a computer system that remotely controls and ADC and then the ADC downloads the software. This is not what is claimed. Accordingly, Applicant respectfully requests that the rejection of claim 2-3, 5, 7-9, 13-15, 19, and 21 also be withdrawn.

Rejection of Claims under 35 U.S.C. §103

Claim 6 stands rejected under 35 U.S.C. §103(a) as being unpatentable over *Ramberg* in view U.S. Patent No. 6,347,339 of *Morris et al.* Applicant respectfully traverses this rejection.

For at least the reason that claim 6 depends from claim 1 and therefore incorporates the limitations of claim 1, this dependent claim is patentable over the art of record for at least the reasons set forth above with respect to independent claim 1. Accordingly, Applicant respectfully requests that the rejection of claim 6 also be withdrawn.

CONCLUSION

In view of the amendments submitted herein and the above comments, Applicant respectfully solicits allowance of the application. Should there be any further questions or concerns, the Examiner is urged to telephone the undersigned attorney to work through any remaining issues and bring this case to a mutually agreeable conclusion.

Respectfully submitted,
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